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11 United States of America

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13 IN THE UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 Plaintiff,

v.

17 AMADO ESCOBEDO, JR.,
18 DOROTEO GONZALES,

19 Defendants.

CASE NO. 1:21-CR-00222-DAD-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: October 13, 2021

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

17 STIPULATION

18 1. By previous order, this matter was set for status on October 13, 2021.

19 2. By this stipulation, defendants now move to continue the status conference until January
20 12, 2022, and to exclude time between October 13, 2021, and January 12, 2022, under Local Code T4.

21 3. The parties agree and stipulate, and request that the Court find the following:

22 a) The government has represented that the discovery associated with this case
23 includes investigative reports, laboratory reports, video surveillance, audio surveillance,
24 interview recordings, and criminal history information, totaling several gigabytes of electronic
25 data. All of this discovery has been either produced directly to counsel and/or made available for
26 inspection and copying.

27 b) Counsel for defendants desire additional time consult with their clients, review
28 discovery, conduct additional investigation, and to prepare for resolution and/or trial.

c) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 13, 2021 to January 12, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 5, 2021

PHILLIP A. TALBERT
Acting United States Attorney

Dated: October 5, 2021

/s/ John Meyer
John Meyer
Counsel for Defendant
Amado Escobedo Jr.

1 Dated: October 5, 2021

/s/ Peter Jones

2 Peter Jones
Counsel for Defendant
Doroteo Gonzales

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5 IT IS SO ORDERED that the status conference is continued from October 13, 2021, to **January**

6 **12, 2022, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe.** Time is excluded pursuant to

7 18 U.S.C. § 3161(h)(7)(A), B(iv).

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9 IT IS SO ORDERED.

10 Dated: October 5, 2021

11 /s/ Barbara A. McAuliffe

12 UNITED STATES MAGISTRATE JUDGE